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Shooting files will include cop IDs

City department reverses rules amid questions about two recent killings.

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ST. LOUIS • Martha Claiborne wants to know who killed her son Jeremiah C. Henderson. Delores Henry wants to know who killed her grandson Darrell Williams.
They think they have the right to know be-

cause two public employees – undercover St. Louis police officers – fatally shot the young men on Nov. 18 after they had reportedly reached for guns in a stolen pickup that crashed during a pursuit.

For years, the department has refused to release names of officers involved in shootings. Claiborne and Henry both tried for weeks to learn the names but were spurned in phone calls and visits to headquarters.

“It’s a police report,” she said. “The public should have access to that. We’re taxpayers.”

After questions from the Post-Dispatch last week, the department said it was changing its mind: It will now release names of officers involved in shootings.

A long-standing department rule had required police to withhold any information that the Missouri Sunshine Law said it could. Chief Dan Isom ordered lawyers to modify that policy, said department spokeswoman Erica Van Ross.

She said the new rule would permit the naming of officers involved in shootings, and the disclosure of the status of officers facing Police Board trials.

It wasn’t clear yet whether there would be

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“IT’S A POLICE REPORT. THE PUBLIC SHOULD HAVE ACCESS TO THAT. WE’RE TAXPAYERS.”

– Delores Henry, grandmother of Darrell Williams, who was shot to death by St. Louis police officers.



NAMES • FROM A1

City police will now identify officers involved in shootings amid questions over two recent killings

changes in other areas where the department has tried to limit public access. The Sunshine Law says government records are presumed to be open to public inspection. It permits public agencies to close certain records but almost never requires it.

In a court ruling earlier this month in an unrelated access case, a St. Louis Circuit Court judge blasted the Police Department for seemingly wanting to be "declared exempt from complying with any requirements of Missouri's Sunshine Law that it finds to be contrary to the traditional police ways of doing things."

In a recent interview with Post-Dispatch editors and reporters, Isom vowed that the department would release all records that it wasn't legally obligated to keep closed.

It represents not just a change of rules but a change of culture, given that many officers fear retaliation if their names are revealed.

Mayor Francis Slay, a member of the Board of Police Commissioners, "believes the department needs to err on the side of being open and accountable," said his chief of staff, Jeff Rainford. "There will be times when, to protect cases or lives, the department will withhold information that should be available to the public. But, those occasions should be rare."

ENRAGED AT FIRST

Henry, the daughter of a retired city police lieutenant and the sister of a retired detective sergeant, welcomed the change of heart.

She said that during a recent visit to police headquarters, she'd had access to the police report long enough to scribble in her notes what she thought were the officers' names. But when she ordered a copy of the report last week, the names were removed. It enraged her.

"I don't have anything against the police," she said. "I want them to do right by citizens."

She said it would provide a step toward proving the two women's belief that the officers could not have seen in the dark the threat

they claimed.

The incident in question started about 12:15 a.m. Nov. 18, as the officers tried to stop a 2004 Dodge Ram, which had been stolen four days earlier in St. Charles.

Officers said the driver of the fleeing vehicle, David Bryant, 30, drove over tire spikes placed in its path but continued on flat tires until the truck hit a guy wire on a pole while turning into an alley, rolling onto its side.

Police at the time said two officers fired eight shots when they saw Henderson, 26, and Williams, 21, reaching for weapons. The two men were pronounced dead at the scene, near Clara and Wabada avenues.

Bryant and two other occupants of the vehicle, a man and a woman, were arrested. Police said they had to use Tasers to subdue the men. One of them, Montrail L. Claiborne, 32, of north St. Louis County — Henderson's brother — was charged with felony possession of a controlled substance. He was hospitalized briefly for cuts and bruises.

Claiborne was initially freed on bond but rearrested for violating parole in a previous drug case.

No charges were issued against Bryant or the woman, identified in a police report as Asia Helms, 26. The circuit attorney took the case "under advisement," meaning charges could be considered later.

The officers, Paul Piatchek, 34, a 10-year veteran, and Matthew Karnowski, 30, who has been on the force for 3½ years, have returned to full duty after being placed on mandatory paid leaves.

The leaves are at least three days, during which the officer is required to see a department psychologist, who must clear him or her to return to work, Van Ross said. If there was reason to think the officers committed a crime, they would not be allowed to return to full duty, she said.

The department's homicide unit is still investigating whether any crimes occurred — either by the people in the truck or the officers.

After the homicide investigation, internal-affairs detectives will look into whether the officers

observed rules for using deadly force.

Van Ross said the department believed that the shootings were justified but said the investigations were not complete. She said the department would not let the officers speak with a reporter while their own investigations were going on.

The department said it has had 14 officer-involved shootings this year; five of the incidents have resulted in six deaths.

In 2008, there were 11 officer-involved shootings, and two of the incidents resulted in two deaths. In 2007, there were 15 officer-involved shootings; six of the incidents resulted in six deaths.

It could not be determined Friday whether any of the shootings were determined to be unjustified.

OPENNESS VS. SAFETY

In Missouri and across the country, departments differ on whether to release officers' names. Police unions typically argue against exposing their members to potential threats.

"We'd prefer that the name is not revealed if the officer hasn't taken the time to request that his property tax records be excluded from accessibility," said Sgt. Robert Frohne, president of the St. Louis County Officers Association. "If you haven't requested that that information be removed, it's easy to find out where a copper lives."

Tom Walsh, president of the St. Louis Police Officers Association, declined to comment.

St. Louis County police withhold an officer's name until their investigations are finalized, said Sgt. Norman Mann, an aide to Chief Tim Fitch.

"It is an officer safety issue," Mann said. Fitch "personally knows two situations where officers were stalked by suspects' families after their names were released."

Officer Darin Snapp, a spokesman for the Kansas City Police Department, said reporters there don't typically seek the names but said they would be in incident reports, which are public records.

Some big departments, such as

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New York and Philadelphia police departments, keep the names under wraps.

The FBI also keeps secret the names of agents involved in shootings.

"Experience has shown that once their identities become public, the potential that they and their families will be subjected to harassment and possible retaliation substantially increases," said Rebecca Wu, a spokeswoman for the bureau's St. Louis field office.

Others, like Los Angeles, mandate their release.

"It's the most serious action a

public servant can take, and police officers are the only people in the country who are legally authorized to take human life," said Samuel Walker, a criminology professor at the University of Nebraska and an expert on police accountability. "And we have a right to know who did it."

David Klinger is a criminologist with the University of Missouri-St. Louis and a former Los Angeles police officer. As a 23-year-old officer in 1981, he shot and killed a man who was attacking another officer with a butcher knife.

Klinger's name appeared in

stories in the next day's Times, Daily News and Herald Examiner.

He quibbles with some of the facts in one of the stories but had no problem seeing his name in print.

He said that in most cases, releasing the name is appropriate because it allows the press to track officers who could be too quick to shoot.

"What happens if Officer Klinger has shot 15 people?" he said. "How is anyone going to know that if they don't have my name in the newspaper?"

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Darrell Williams (left) and Jeremiah C. Henderson were fatally shot by police on Nov. 18.